



April 13, 2015

The Honorable Bob Goodlatte  
Chairman  
House of Representatives  
Judiciary Committee  
Washington, DC 20515

The Honorable John Conyers, Jr.  
Ranking Member  
House of Representatives  
Judiciary Committee  
Washington, DC 20515

RE: H.R. 427, the Regulations from the Executive in Need of Scrutiny Act of 2015

Dear Representative:

The Center for Effective Government (CEG) strongly opposes H.R. 427, the Regulations from the Executive in Need of Scrutiny Act of 2015 (REINS Act), which will be considered by the House of Representatives Judiciary Committee on April 15.

This bill represents the most radical threat to essential public protections in generations. The effect of this bill would be to substantially delay or prevent the ability of regulatory agencies to implement critically needed public health and safety safeguards, financial reforms and worker protections. These protections are essential for ensuring that industry operates in a manner that is accountable to the public. Passage of this bill will benefit only those corporations intent on evading safety standards and will undermine the ability of the federal government to provide necessary protections for the American public.

The REINS Act would require Congress to approve a major rule, with no alterations, within a 70-day window. If both chambers of Congress do not agree to approve a major rule, it would not take effect and would be tabled until the next congressional session. Essentially, Congress could prevent existing laws from being effectively implemented simply by taking no action. It would significantly delay or stop all major rules from being adopted, even the large number of non-controversial but important rules agencies produce every year.

Currently, it takes many years for a federal agency to produce the rules necessary to implement and enforce public safeguards and protections. For example, the 2012 EPA standards on greenhouse gas emissions and fuel economy for light vehicles, which were supported by the auto industry as well as public interest organizations, required several years to develop before the rule was ultimately finalized and adopted. REINS would allow congressional inaction to block such common-sense, non-controversial rules.

The REINS Act is unnecessary and redundant because agencies can only exercise authority that has been delegated to them by Congress in authorizing legislation. Should an agency develop a regulation that oversteps their legal mandate the result is certain to undergo judicial scrutiny and result in reversal of the agency action. Additionally, the Congressional Review Act provides Congress with the authority to review and nullify a rule by passing a resolution of disapproval. The REINS Act would result in Congress revisiting its previous debates, wasting time and money and paralyzing agencies and Congress itself.

The REINS Act would inappropriately – but deliberately – inject political considerations into a regulatory process that is intended to be based on objective agency science and expertise. Federal agencies employ personnel with policy, scientific, and technical expertise to produce smart and sensible regulations. Requiring Congress to approve every major regulation provides special interests with yet another opportunity to influence the content of a rule.

Simply put, the REINS Act would make the dysfunction and obstructionism that plague our political process even worse by giving one chamber of Congress veto power over any new significant public health and safety protection, no matter how non-controversial or sensible it may be.

Congress should be focused on improving the ability of federal agencies to develop and enforce laws designed to protect our food supply, water and air quality, financial security, safety and much more, not adopting procedural roadblocks to sensible safeguards that protect the American people. The Center for Effective Government strongly urges you to not report out this bill, which should not even merit consideration by this Committee.

Sincerely,

A handwritten signature in black ink, appearing to read "Katherine McFate", with a stylized, cursive script.

Katherine McFate  
President and CEO